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Room 222
DOCKETS

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

10 FEB 1993

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RECEIVED IN REPLY REFER TO:
7330-771700A3

FEB 12 1993

Honorable John McCain
United States Senate
111 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator McCain:

This is in reply to your letter of January 29, 1993, in which you inquired on behalf of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

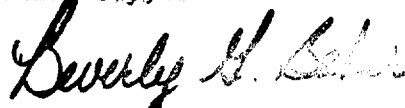
Honorable John McCain

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Valler", written in a cursive style.

Ralph A. Valler
Chief, Private Radio Bureau

Enclosures:
Notice
Discussion paper

Congressional

DUE: 2-10-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/02/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300363	02/02/93	01/29/93	02/15/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	John McCain	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB <i>Law</i> 2-3-93			
DATE	DATE	DATE	DATE
02/02/93			

REMARKS: Respond to the attention of Grant Seiffert in the
D.C. office.

RECEIVED
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PRIVATE

JOHN MCCAIN
ARIZONA

United States Senate

WASHINGTON, D.C. 20510

PRB
92-235
363

January 29, 1993

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
191 M Street N.W., Room 808
Washington, D.C. 20554

Dear Linda:

I have enclosed an inquiry which I have received from several constituents of Tucson, Arizona.

I would greatly appreciate it if you would review this material and provide me with a prompt response addressing this issue.

PLEASE MARK THE ENVELOPE TO THE ATTENTION OF: Grant Seiffert in my Washington office, 111 Russell Senate Office Building, Washington, D.C. 20510. Thank you very much for your kind assistance and cooperation.

Sincerely,



John McCain
United States Senator

JM/gs
Enclosure

RECEIVED
FEB 3 3 21 PM '93
PRIVATE

January 18, 1993

The Honorable John McCain
United States Senate
Washington, DC 20510

Sir:

I have just found out about the Federal Communications Commission Notice of Proposed Rule Making PR Docket 92-235.

This rule has a section concerning Part 95 of the Code of Federal Regulations that is of serious interest to me and a fair segment of the population for several reasons - one of them being safety. This rule must not pass.

I fly radio-controlled model aircraft. NPRM PR 92-235 proposes the placing of multiple, commercial use frequencies between the present ones allocated by the FCC for R/C use. These frequencies can/will be used on mobile equipment and as such present an extreme danger to us. If this ruling is enacted, a pilot could lose control of a plane at any time and with no warning when one of the new transmitters began broadcasting within range of the pilot.

The planes we fly are relatively large (mine range in weight from 3 to 10 pounds and have wingspans to greater than 5 feet) and fly at significant speeds. Loss of control could result in serious injury and possibly death for a person struck by such a plane.

Normally there is very little risk involved in this hobby and accidents are few, but the interference possibilities introduced by this new bill will change that.

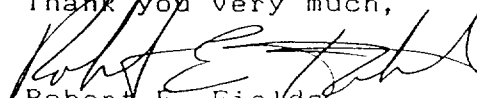
The technology required to upgrade our radios such that they could operate at the new, narrow frequency spacing and reject the more powerful transmitters on the new frequencies is not currently available. Estimates on cost when/if it would become available are around \$1000. This is many times the present cost of our radios and will kill the hobby - a hobby that introduces many (including children) to technology and aerospace engineering professions.

I am in a club of 65 individuals that fly R/C. There are, I believe, 8 such clubs in the Tucson area alone. Phoenix has even more. Each year we all participate in a mall show at the Park Mall in Tucson that draws such crowds that, during the very first show, the mall officials invited everyone back on a yearly basis.

There is also a significant economic impact to the Tucson area itself due to the hobby. Clubs in the area regularly host national events and our club has co-hosted giant scale, Reno-style, Unlimited Air Races in conjunction with Evergreen Air Center in Marana. These events will stop if NPRM PR 92-235 is enacted.

I respectfully ask that you help us to protect our R/C frequencies, keep our present levels of safety, and keep this action from killing the hobby.

Thank you very much,


Robert E. Fields
1341 East Seneca Street
Tucson, Arizona 84719

Jan. 22, 1993

The Honorable John McCain
United States Senate
Washington, D.C. 20510

Dear Senator McCain,

I have been interested in aviation for as long as I can remember and am now retired and derive many hours of enjoyment from constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many

land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margins of safety will be greatly decreased.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of commercial aviation industry.

Please help me continue the safe
enjoyment of my pastime by not allowing
the FCC to carry out its proposals
for the 72-76 MHz band

Sincerely

Donald Borow

Apache Junction, AZ.

The Honorable John McCain
United States Senate
Washington, DC 20510

Sir:

I am writing to you concerning Federal Communications Commission Notice of Proposed Rule Making PR Docket 92-235. This rule has a section concerning Part 95 of the Code of Federal Regulations that is of serious interest to me for several reasons - one of them being safety.

I fly radio-controlled model aircraft. NPRM PR 92-235 proposes the placing of multiple commercial-use frequencies between those allocated by the FCC for R/C use. These new frequencies can be used on mobile equipment and as such present an extreme danger. Normally there is little risk involved in this hobby and accidents are few, but the interference possibilities introduced by this bill will change that. If this ruling is enacted, a pilot may lose control of a plane any time one of the new transmitters began broadcasting within range of the pilot. The planes we fly are relatively large and fly at significant speeds. Loss of control could result in serious injury for a person struck by a "runaway" plane.

The technology required to upgrade our radios to where they could reject the more powerful signals on the new frequencies is not available. Estimates on cost if it became available are many times the present cost of our radios and will kill the hobby - a hobby that introduces many (including children) to technology, aerospace, and engineering professions.

Many American businesses manufacture or distribute items for R/C use (kits, radios, engines, accessories, etc.) and there is a significant economic impact to the Tucson area itself. This will all end if NPRM PR 92-235 is enacted.

I respectfully ask that you help us protect our frequencies, preserve our present levels of safety, and keep this action from killing the hobby, by helping to defeat NPRM PR 92-235.

Very truly yours,

Mike A. Reynolds
AMA 115155

The Honorable John McCain
United States Senate
Washington, DC 20510

Sir:

I am writing to you concerning Federal Communications Commission Notice of Proposed Rule Making PR Docket 92-235. This rule has a section concerning Part 95 of the Code of Federal Regulations that is of serious interest to me for several reasons - one of them being safety.

I fly radio-controlled model aircraft. NPRM PR 92-235 proposes the placing of multiple commercial-use frequencies between those allocated by the FCC for R/C use. These new frequencies can be used on mobile equipment and as such present an extreme danger. Normally there is little risk involved in this hobby and accidents are few, but the interference possibilities introduced by this bill will change that. If this ruling is enacted, a pilot may lose control of a plane any time one of the new transmitters began broadcasting within range of the pilot. The planes we fly are relatively large and fly at significant speeds. Loss of control could result in serious injury for a person struck by a "runaway" plane.

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Very truly yours,

Mark Baker